

# New Mexico Department of Game and Fish

## *POLICY*

### Firearms

RM-411  
(Rev.03/14/2012)

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#### **Authority**

§ 17-1-11, 17-2-19 and 29-1-1 NMSA 1978

#### **Purpose**

The purpose of this policy is to provide for the allowance, issuance and utilization of firearms by Conservation Officers (COs) and Reserve Conservation Officers (RCOs) and non-commissioned employees.

#### **Policy**

Only firearms issued by the Department or as authorized by the Chief or Assistant Chief of Law Enforcement may be carried by conservation officers. Approved handguns for COs and RCOs are double action revolvers or semi-automatic pistols. The minimum acceptable caliber is 9mm or .38 special.

No officer may carry a caliber or type of firearm (handgun, rifle, shotgun) for enforcement purposes that he/she has not qualified with according to the Department of Public Safety firearms standards.

A sidearm shall be worn by a uniformed officer at all times while on duty in uniform and when on plain clothes assignment. Each officer will have a badge in their possession when carrying a firearm on-duty. An exception to wearing a sidearm may be granted by a supervisor or when prohibited as part of standard operating restriction (i.e. court or jail staff security).

An officer that is off-duty or operating in a covert capacity is approved by the Department to carry firearms at their discretion. An officer that is off-duty shall secure and store a firearm in a manner that prevents access to it by children or unauthorized personnel as much as reasonably possible.

No substantial alterations or modifications will be made to any firearm used or intended for official use unless authorized by the Chief or Assistant Chief of Law Enforcement. The addition or mounting of optics, light sources, night sights, slings and grips do not need any approval.

All non-commissioned employees are prohibited from possessing a firearm while on official duty, inside any department facility or in any department vehicle unless prior approval is

obtained by their Assistant Director. A non-commissioned employee that has approval to possess or use a firearm while on official duty shall secure and store a firearm when off-duty in a manner that prevents access to it by children or unauthorized personnel as much as reasonably possible. Non-commissioned employees are not authorized by the Department to carry any concealed firearm off-duty and must seek separate authorization as required by the Concealed Handgun Carry Act (29-19-1 NMSA 1978).

An employee is prohibited from wearing or handling a firearm when the individual is:

1. Under the influence of alcohol or drugs
2. On law enforcement suspension or temporarily assigned to light duty; or
3. A non-commissioned employee that does not have the proper approval.

Any firearm and ammunition being used by an employee will be made available for inspection by any supervisor or firearms instructor at any reasonable time.

Any allowance to carry a firearm may be withdrawn at any time by an Assistant Director or above if:

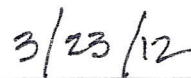
1. This policy is violated; or
2. A substantial safety concern is identified involving the employee's use or possession of a firearm.

Regardless of the allowances above, the possession or wearing of any firearm by any employee shall comply with applicable state and federal laws.

This policy was approved and implemented by:



James S. Lane, Jr., Director



Date